



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

June 26, 2012

Avista Corporation
E.A. Dept. MSC-1
P.O. Box 3727
Spokane, WA 99220-3727

Dear Mrs. Kiefer:

Re: Application for Change/Transfer under Surface Water Certificate No. 10372(B)
STEV 12-01

On May 25, 2012, our office received from the Stevens County Water Conservancy Board, a Record of Decision for the above referenced application for change/transfer of a water right. In accordance with RCW 90.80.080 the Department of Ecology has reviewed the Record of Decision and Report of Examination and has considered all comments, protests, objections, and other relevant information.

The Department has **modified** the decision of the Board and the proposed change of water right is **approved** under the following conditions:

Summary of Ecology's Final Order 10372(B)

MAXIMUM CUBIC FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
0.535	240	200	Continuous year round Industrial				
SOURCE			TRIBUTARY OF (IF SURFACE WATER)				
Six (6) Wells (in hydraulic continuity with Franklin D. Roosevelt Lake			Pacific Ocean				
AT A POINT LOCATED: PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY
Well #2	SW	NE	14	36 N.	37 E.	61	Stevens
Well #3	SW	NE	14	36 N.	37 E.	61	Stevens
Well #4	SW	NE	14	36 N.	37 E.	61	Stevens
Well #5	NW	SE	14	36 N.	37 E.	61	Stevens
Well #6	NW	SE	14	36 N.	37 E.	61	Stevens
Well #7	NW	SE	14	36 N.	37 E.	61	Stevens



LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD

Land owned by Avista Corporation located within the NE1/4 and SE1/4 of Section 14, T. 36 N., R. 37 E.W.M., including Stevens County Assessor Parcel Nos. 8000997, 1701700, and 1701400, as further described below.

Parcel No. 8000997: All that part of the NE1/4 of Section 14, Township 36 North, Range 37 East, W.M., in Stevens County, Washington, being further described as follows:

Beginning at the East ¼ corner of said Section 14, said point being marked with a 1-inch pipe; thence along the South line of the NE1/4 of said Section 14, S 87°47'49"W a distance of 402.32 feet to a point on the westerly right of way line of U.S. Highway No. 395, and the true Point of Beginning of the tract to be described; thence along the westerly right of way of said Highway No. 395 the following five courses and distances: N 34°21'43"W 1138.06 feet; N 45°40'19"W 101.98 feet; N 34°21'43"W 700.00 feet; N 17°39'46"W 104.40 feet; N 34°21'43"W 211.28 feet; thence S 55°38'17"W a distance of 206.31 feet to a point on the easterly right of way line of the Burlington Northern Railroad; thence along the easterly right of way line of said Railroad the following three courses and distances: S 13°33'30"W 564.00 feet; N 76°26'30"W 30.00 feet; S 13°33'30"W 906.16 feet; to the beginning of the tangent curve concave to the left of 2814.70 feet radius; thence continuing along said right of way line along said curve a distance of 396.16 feet to a point on the South line of the NE1/4 of said Section 14; thence N 87°57'49"E a distance of 1872.13 feet to the true Point of Beginning.

Parcel No. 1701700: That part of the NW1/4 of the SE1/4 of Section 14, Township 36 N., Range 37 E.W.M., in Stevens County, Washington, lying East of the right of way for the Great Northern Railway Company.

Parcel No. 1701400: The N1/2 of the NE1/4 of the SE1/4, the SW1/4 of the NE1/4 of the SE1/4 and the N1/2 of the SE1/4 of the NE1/4 of the SE1/4 of Section 14, Township 36 N., Range 37 E.W.M., in Stevens County, Washington, EXCEPT right of way for Primary State Highway No. 3, Meyers Falls to Kettle Falls bridge, conveyed to State of Washington, by deed recorded in Volume 104 of Deeds, page 538, and deed recorded under auditor's file No. 499697. EXCEPT that portion of the N1/2NE1/4SE1/4 lying North and East of Primary State Highway No. 3.

PARCEL NO.	¼	¼	SECTION	TOWNSHIP	RANGE
			14	36 N.	37 E.

This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise.

The water quantities and uses recommended and/or the number of acres to be irrigated may be reduced at the time of issuance of a final water right commensurate with the capacity of the installed system and the uses and/or the number of acres actually irrigated.

Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations.

The rule above describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements".

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An airline and gauge may be installed in addition to the access port.

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this decision. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this decision:

- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

Avista Corporation
June 26, 2012
Page 4

For additional information visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov> . To find laws and agency rules visit the Washington State
Legislature Website: <http://www1.leg.wa.gov/CodeReviser> .

DATED this 26th day of June, 2012, at Spokane, Washington.

Sincerely,



Keith L. Stoffel
Section Supervisor
Water Resource Program

KLS:HS:ka

Enclosure: *Your Right to Be Heard*

By Certified Mail 7011 0110 0000 7276 1909

cc: Stevens County Water Conservancy Board

U.S. Postal Service TM	
CERTIFIED MAIL TM RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To	AVISTA CORPORATION
Street, Apt. No., or PO Box No.	MS LINDA KIEFER
City, State, ZIP+4	E.A. DEPT. MSC-1
	P.O. BOX 3727
	SPOKANE, WA 99220-3727

6/26/12
Postmark
Here

7011 0110 0000 7276 1909

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.Print your name and address on the reverse so that we can return the card to you.Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: AVISTA CORPORATION MS LINDA KIEFER E.A. DEPT. MSC-1 P.O. BOX 3727 SPOKANE, WA 99220-3727	B. Received by (Printed Name) <i>L. M. Kiefer</i> C. Date of Delivery <i>6/28</i>
2. Article Number (Transfer from se) 7011 0110 0000 7276 1909	D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540